

Thomas Jefferson, July 2, 1807, Proclamation and Draft on Armed Vessels, The Works of Thomas Jefferson in Twelve Volumes. Federal Edition. Collected and Edited by Paul Leicester Ford.

“CHESAPEAKE” PROCLAMATION J. MSS.

[July 2, 1807.]

During the wars which for some time have unhappily prevailed among the powers of Europe, the US. of America, firm in their principles of peace, have endeavored by justice, by a regular discharge of all their national & social duties, and by every friendly office their situation admitted, to maintain, with all the belligerents, their accustomed relations of friendship, hospitality & commercial intercourse. Taking no part in the questions which animate these powers against each other, nor permitting themselves to entertain a wish, but for the restoration of general peace, they have observed with good faith the neutrality they assumed, & they believe that no instance of departure from it's duties can be justly imputed to them by any nation. A free use of their harbours and waters, the means of refitting & of refreshment, of succour to their sick & suffering, have, at all times, and on equal principles been extended to all: and this too while the officers of one of the belligerents received among us have been in a continued course of insubordination to the laws, of violence to the persons, & of trespasses on the property of our citizens. These abuses of the laws of hospitality have become habitual to the Commanders of the British armed vessels hovering on our coasts & frequenting our harbours; they have been the subject of repeated representations to their government; assurances have been given that proper orders should restrain them within the limit of the rights, & of the respect belonging to a friendly nation: but those orders & assurances have been without effect; nor has a

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single instance of punishment for past wrongs taken place. Even the murder of a citizen, peaceably pursuing his occupations, within the limits of our jurisdiction. And at length a deed, transcending all we have suffered, brings the public sensibility to a serious crisis, and forbearance to a necessary pause. A frigate of the US. trusting to a state of peace

and leaving her harbor on a distant service, has been surprised and attacked by a British vessel of superior force, one of a squadron then lying in our waters to cover the transaction, & has been disabled from service with the loss of a number of men killed & wounded. This enormity was not only without provocation or justifiable cause; but was committed with the avowed purpose of taking by force from a ship of war of the US. a part of her crew: and that no circumstance might be wanting to make its character, the commander was apprised that the seamen thus forcibly were native citizens of the US. His purpose effected he returned to anchor with his squadron within our jurisdiction. Hospitality under such circumstances ceases to be a duty: and a continuance of it with such uncontrouled abuses would tend only, by multiplying injuries, & irritations, to bring on a rupture equally opposed to the interests of both nations, as to assurances of the most friendly dispositions on the part of the British government in the midst of which this outrage has been committed. The subject cannot but present itself to that government, & strengthen the motives to an honorable reparation of the wrong which has been done, and that effectual controul of its naval commanders which alone can justify the government of the US. in the exercise of those hospitalities it is now constrained to discontinue.

In consideration of these circumstances, and of the right of every nation to regulate it's own police, to provide for it's peace & for the safety of it's citizens, & consequently to refuse the admission of armed vessels into it's

harbors or waters, either in such numbers, or of such descriptions, as are inconsistent with these, or with the maintenance of the authority of the laws, I have thought proper in pursuance of the authority specially given by law to issue this my Proclamation, hereby requiring all armed vessels bearing commissions under the government of Great Britain

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now within the harbors or waters of the US. immediately & without any delay to depart from the same: and interdicting the entrance of all the said harbors & waters to the said armed vessels, & to all others bearing commissions under the authority of the British government.

And if the sd vessels or any of them, shall fail to depart as aforesaid, or if they or any others, so interdicted, shall hereafter enter the harbors or waters aforesaid, I do in that case forbid all intercourse with either or any of them, their officers or crews, & do prohibit all supplies & aid from being furnished to them or any of them.

And I do declare & make known that if any person from, or within, the jurisdictional limits of the US. shall afford any aid to any such vessel contrary to the prohibition contained in this proclamation, either in repairing any such vessel, or in furnishing her, her officers or crew, with supplies of any kind, or in any manner whatever, or if any pilot shall assist in navigating any of the said armed vessels, unless it be for the purpose of carrying them in the first instance, beyond the limits & jurisdiction of the US. or unless it be in the case of a vessel

forced by distress, or charged with public dispatches as hereinafter provided for, such person or persons shall, on conviction, suffer all the pains and penalties by the laws provided for such offences.

And I do hereby enjoin & require all persons bearing office civil or military within or under the authority of the US., and all others, citizens or inhabitants thereof, or being within the same, with vigilance & promptitude to exert their respective authorities & to be aiding & assisting to the carrying this Proclamation & every part thereof into full effect.

Provided nevertheless that if any such vessel shall be forced into the harbors or waters of the US. by distress, by the dangers of the sea, or by the pursuit of an enemy, or shall enter them charged with dispatches or business from their government, or shall be a public packet for the conveyance of letters and dispatches, the commanding officer, immediately

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reporting his vessel to the collector of the district, stating the object or causes of entering the sd harbors or waters, & conforming himself to the regulations in that case prescribed under the authority of the laws, shall be allowed the benefit of such regulations respecting repairs, supplies, stay, intercourse, & departure as shall be permitted under the same authority.

In testimony whereof I have caused the seal of the US. to be affixed to these presents & sign the same.

Given at the city of Washington the 2d day of July in the year of our lord 1807 and of the sovereignty & independence of the US. the 31st.¹

1 Madison's draft:

“A free use of their harbors & waters, the means of refitting & refreshment, of succor to their sick & suffering have at all times and on equal principles, been extended to all; and this too while the officers of one of the belligerents recd among us were in a continued course of insubordination to the laws, of violence to the persons of our citizens, and of trespass on their property. These abuses of the laws of hospitality have become habitual to commanders of British armed ships hovering on our coasts and frequenting our harbors. They have been the subject of repeated representations to their govt.: assurances have been given that proper orders should restrain them within the limits of the rights & the respect due to a friendly nation: but these orders and assurances have been without effect; nor has a single instance of punishment of past wrongs taken place. Even the murder of a citizen peaceably pursuing his occupation within the limits of our jurisdiction remains unpunished; and omitting late insults as gross as language could offer, the public sensibility has at length been brought to a serious crisis by an act transcending all former outrages. A frigate of the U. S. which had just left her port on a distant service, trusting to a state of peace & *therefore unprepared for defence*, has been surprised and attacked by a vessel of superior force, being one of a squadron then lying in our waters to cover

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the transaction, & has been disabled for service with the loss of a number of men killed & wounded. This enormity was not merely without provocation or any justifiable cause; it was committed with the avowed & insulting purpose of violating a ship of war under the American flag, and taking from her by force a part of her crew; a pretext the more flagrant as the British commander was not unapprised that the seamen in question were native citizens of the U. States. Having effected her lawless & bloody purpose, the British vessel returned immediately to anchor with her squadron within our jurisdiction. Hospitality under such circumstances ceases to be a duty; and a continuance of it with such uncontroled abuses, would tend only by multiplying injuries & irritations, to bring on a rupture which it is the interest, and it is hoped the inclination of both nations to avoid. In this light the subject cannot but present itself to the British govt.; and strengthen the motives to an honorable reparation for the wrong which has been done, and to that effectual controul of its naval commanders, which alone can justify the govt. of the U. S. in the exercise of those hospitalities which it is constrained to discontinue, and maintain undiminished all the existing relations between the two nations.”

Indorsed “Department of State Recd. June 29, 07 Proclmn.”